

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. LM(F)6642

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **A SYSTEM FOR PREDICTIVELY AND DYNAMICALLY ALLOCATING COMMUNICATION BANDWIDTH**, the specification of which

- (check one) is attached hereto.
- was filed on _____ as Application Serial _____
and was amended _____ (if applicable).
- was filed on _____ as International Application _____
and was amended _____
by Preliminary Amendment Article 19; Article 34 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or §365 of any foreign application(s) for patent or inventor's certificate or §365 of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or §365 of any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s):

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed <input type="checkbox"/> Yes <input type="checkbox"/> No
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)

Power of Attorney: as a named inventor, I hereby appoint the following attorneys: Thomas L. Tarolli, Reg. No. 20,177; Robert B. Sundheim, Reg. No. 20,127; Calvin G. Covell, Reg. No. 24,042; Barry L. Tummino, Reg. No. 29,709; James L. Tarolli, Reg. No. 36,029; Richard S. Wesorick, Reg. No. 40,871; Matthew M. Shaheen, Reg. No. 45,367; Richard A. Sutkus, Reg. No. 43,941; Gary J. Pitzer, Reg. No. 39,334; Christopher P. Harris, Reg. No. 43,660; Patrick M. Hogan, Reg. No. 29,543; and Leland D. Schultz, Reg. No. 30,322, each with full powers of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

TAROLLI, SUNDHEIM, COVELL & TUMMINO, LLP
526 Superior Avenue – Suite 1111
CLEVELAND, OH 44114.
Robert B. Sundheim (216)621-2234.

DIRECT CALLS TO:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Full name of sole or first

inventor

Inventor's signature

Residence

Post Office Address

Stephen J. DeMarco
John J. DiMarsco, PE
Binghamton, New York
2 Crestmont Road, Binghamton, New York 13905

Date

Citizenship

County

3/8/04

U.S.A.

New York

2)	Full name of second inventor	<u>Robert J. Szczerba</u>	Date	<u>3/8/04</u>
	Inventor's signature	<u>Robert J. Szczerba</u>	Citizenship	<u>U.S.A.</u>
	Residence	<u>Endicott, New York</u>	County	<u>Broome</u>
	Post Office Address	<u>5 Prince Edward Court, Endicott, NY 13760</u>		